



**Coastal**  
The Energy People

December 21, 1993

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DIVISION OF  
OIL, GAS & MINING

Daron Haddock, Permit Supervisor  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

Re: Subsidence Mitigation Plan

Dear Mr. Haddock,

We have reviewed your December 8, 1993 deficiency letter concerning our subsidence mitigation plan. We do not agree with your staff recommendations.

R645-301-332 states that our plan needs "a description of the anticipated impacts of subsidence on renewable resources identified in R645-301-320 and how such impacts will be mitigated." In our approved M&RP Section 4.17.4 we have described the unlikely impacts on renewable resources and how such impacts would be mitigated.

Skyline Mines has been mining coal now for over twelve years. To date we have not found any significant subsidence damage that needed mitigation.

The Burnout Creek study is not being done because we are anticipating any impacts of subsidence on renewable resource lands. The main thrust of the study is to verify the anticipated lack of impacts.

The Boulder Creek fish habitat project is not being done as a mitigation project. The fish passage structure at Boulder Reservoir is an issue between Utah Fuel Company and the US Forest Service. Boulder Reservoir is not located within the current Utah Fuel Company permit area and should not be included in the M&RP. Utah Fuel company's involvement in the fish passage structure will be primarily monetary. We do not believe that these two activities fall in the requirements of the R645 regulations. As has been stated before Skyline Mines will keep the Division informed of the results of these activities. We believe that valuable technology will be obtained by the US Forest Service Research station which will benefit all of us.

If there are significant subsidence impacts which will need mitigation, the Division will be

**Utah Fuel Company**

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*involved in the process as required by the R645 regulation. However, until that unlikely event occurs, we do not plan on including the Burnout Creek study and Boulger Reservoir activities in the M&RP.*

*Thus, we believe that we have complied with R645-301-332 regulations in our approved M&RP plan.*

*We appreciate your review and concern.*

*Sincerely,*

A handwritten signature in black ink, appearing to read "Ken Payne", with a stylized flourish extending to the right.

**Ken Payne**  
**Vice President/General Manager**  
**Utah Fuel Company**

**KP:KZ:dk**